

### **REMARKS**

In section 7 of the Office Action, the Examiner acknowledges that the features in claim 6 are not disclosed in the prior art. The limitations of claim 6 have been incorporated into independent claims 1 and 4. Claim 6 has been canceled to avoid duplicity. The Applicants believe that claims 1 and 4 should be allowed. Claims 2-3, 5 and 7-10 should also be allowed, at least by virtue of their dependency from claim 1 or claim 4.

### **Disagreement matter of record**

In section 2 of the Office Action, the Examiner rejects claims 1, 2, and 9 under 35 USC 102(e) as being anticipated by Vahedi et al. (US Patent No. 6,316,169). Moreover, in section 3, claims 4, 5 and 10 are rejected under 35 USC 102(e) as being anticipated by Vahedi et al. In section 5, claims 3 and 7 are rejected under 35 USC 103(a) as being unpatentable over Vahedi et al. in view of Liu et al. (US Patent No. 5,972,773). In section 6, claim 8 is rejected under 35 USC 103(a) as being unpatentable over Vahedi et al. in view of Hsiao et al. (US Patent No. 5,985,765). The Applicants respectfully disagree with the rejection of these claims and wish to make their disagreement a matter of record.

For example, the Applicants believe that the cited references do not disclose, teach or suggest all of the following features of the claimed invention:

Claim 1: "forming a victim layer on the surface of the photoresist according to the photoresist topography, wherein the thickness of the victim layer is smaller than that of the photoresist, such that a plurality of slopes are formed on the sidewalls of the photoresist" and

"etching the mask layer using the photoresist and the victim layer with the slopes to be the etching mask."

Claim 4: "forming a victim layer on the surface of the photoresist according to the photoresist topography, wherein the thickness of the victim layer is smaller than that of the photoresist with patterns, such that a plurality of slopes are formed on the sidewalls of the photoresist"; and

"etching the protecting layer to form a plurality of metal contacting windows using the photoresist and the victim layer with the slopes to be the etching mask".

However, being desirous to conserve time and funds, the Applicants agree to adopt the Examiner's recommendations. The Applicants understand that claim 6 will be allowed if re-written in independent form including all of the limitations of the base and intervening claims.

The Applicants reserve the right to seek protection for any unclaimed subject matter either subsequently in the prosecution of the present case or in a divisional or continuation application.

The Applicants have attempted to address all of the issues raised by the Examiner in the Office Action as the Applicants understand them. The Applicants believe that the Application is now in condition for allowance. If

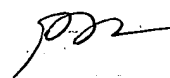
any point requires further explanation, the Examiner is invited to telephone Troy Cai at (323) 934-2300 or e-mail Troy Cai at tcgai@ladasparry.com.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account No. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

Enclosed please find a copy of Troy Guangyu Cai's Notice of Limited Recognition under 35 CFR 10.9(b) to prepare and prosecute patent applications wherein the patent applicant is a client of Ladas & Parry, and the attorney of record in the applications is a registered practitioner who is a member of Ladas & Parry.

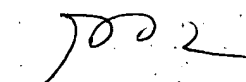
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(Date of Deposit)

Troy Guangyu Cai  
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11/10/2003  
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